

JURISDICTION:

PUERTO RICO

This chapter summarizes the Commonwealth of Puerto Rico statutes related to speed.

General Reference:

Laws of Puerto Rico Annotated Current through the 1995 sessions of the Puerto Rico Legislature.

Important. The Legislature of Puerto Rico made substantial revisions to Puerto Rico's motor vehicle laws in 2000. However, the annotated code has not been updated to reflect these revisions.

Basis for a Speed Law Violation:

Basic Speed Rule:

The speed of a motor vehicle shall be regulated with due care, taking into account the width, volume of traffic, use, and condition of the public highway. Title 9, §841(a)

Statutory Speed Limit:
See Other below.

45 MPH in a rural zone Title 9, §841(b)(2)
25 MPH in an urban zone Title 9, §841(b)(1)
25 MPH in a school zone¹ Title 9, §841(b)(3)

Posted (Maximum) Speed Limit:

Based on traffic-engineering research, the Commonwealth or local authorities, on highways under their jurisdiction, may increase or decrease the above speed limits.² Title 9, §843

Minimum Speed Limit:

I. A person shall not drive a vehicle so slowly as to hinder or obstruct the normal and reasonable flow of traffic. Title 9, §842 (¶1)
II. A person, driving at less than the normal speed of traffic on highways with more than one lane, shall drive in the extreme right-hand lane. Title 9, §891(b)

Posted (Minimum) Speed Limit:

Based on traffic-engineering research, the Commonwealth or local authorities may establish a minimum speed limit on a highway. Title 9, §842 (¶2)

Other:

I. Heavy vehicles and buses (including school buses) cannot be driven >40 MPH. Title 9, §841(b)(2)
II. Vehicles carrying either toxic materials or dangerous substances cannot be driven either >30 MPH in a rural zone or >25 MPH in an urban zone. Title 9, §841(b)(4)
III. A vehicle, that is equipped with solid or massy tires, cannot be driven >10 MPH. Title 9, §845

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:
Other:

All Speed Law Violations are Misdemeanors. Title 9, §1221(a)

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:
Imprisonment:
Term (Day, Month, Years,

¹A school zone is in operation from 6:00 A.M. to 6:00 P.M. or at other times as identified by appropriate signs. Title 9, §841(b)(3)

²"[D]ifferent limits may be established for diverse hours, distinct types of vehicles, different weather conditions and other factors pertinent to a safe speed." Title 9, §843

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Etc.):	<u>1st offense</u> -Not more than 10 days <u>2nd offense</u> (within 1 year)-Not more than 20 days <u>Subsequent offense</u> (within 1 year)-Not more than 6 months Title 9, §1221(b)
Mandatory Minimum Term:	None
Fine:	
Amount (\$ Range):	<u>1st offense</u> -Not more than \$100 <u>2nd offense</u> (within 1 year)-Not more than \$200 <u>Subsequent offense</u> (within 1 year)-Not more than \$500 Title 9, §1221(b)
Mandatory Min. Fine (\$):	None
Other Penalties:	
Traffic School:	
Other:	
Licensing Action:	
Type of Licensing Action (Susp/Rev):	Suspension via a Point System ³ Title 9, §§691(a)(3) & 694
Term of License Withdrawal (Days, Months, Years, etc.):	Not more than 1 year Title 9, §691(c)
Mandatory Minimum Term of Withdrawal:	Limited ⁴
Miscellaneous Sanctions	
Not Included Elsewhere:	

Other Criminal Actions Related to Speeding:

<u>Racing on Highway:</u>	Misdemeanor Title 9, §§1221(a) & 847
Sanctions:	
Criminal Sanction:	
Imprisonment (Term):	<u>1st offense</u> - None <u>2nd offense</u> -Not more than 10 days <u>Subsequent offense</u> -Not more than 30 days Title 9, §847(b)
Mandatory Minimum Term:	None
Fine (\$ Range):	<u>1st offense</u> - \$50 to \$300 <u>2nd offense</u> - \$100 to \$400 <u>Subsequent offense</u> - \$200 to \$500 Title 9, §847(b)
Mandatory Minimum Fine:	None

Other Criminal Actions Related to Speeding: (continued)

³**Point System.** I. If an offender accumulates 25 points, their license is suspended from 1 month to 1 year. Title 9, §694(f) II. The following points have been assigned to speeding and speed related violations: Reckless (gross negligent) driving-3 to 9 points; racing-3 to 8 points; excessive speeding-3 to 7 points; and, slow speed-1 to 2 points. Title 9, §694(a)(1), (2), (3) & (16)

⁴The licensing agency is not required to suspend an offender's license, if the offender demonstrates that a license is needed for employment purposes. Such suspension is rendered "ineffective" for 6 months. However, if during this period, the offender commits another violation for which they accumulate points, they are subject to a mandatory license suspended for the original suspension period. Title 9, §694(i)

Racing on Highway: (continued)

Administrative Licensing Action:

Licensing Authorized and

Type of Action:

Length of Term of

Licensing Withdrawal:

Mandatory Action--Minimum

Length of License

Withdrawal:

Suspension Title 9, §847(b)

1st offense-1 to 6 months Subsequent offense-1 year Title 9, §847(b)

1st offense-1 month Subsequent offense-1 year Title 9, §847(b) Note:
These suspensions appear to be mandatory.

Other:

Reckless Driving:

Sanction:

Criminal:

Imprisonment (Term):

Mandatory Minimum Term

of Imprisonment:

Fine (\$ Range):

Mandatory Minimum Fine:

Misdemeanor Title 9, §§1221(a) & 871

1 to 6 months Title 9, §871(a)

None

\$100 to \$500 Title 9, §871(a)

None

Administrative Licensing Actions:

Type of Licensing Action

(Susp/Rev):

Length of Term of License

Withdrawal Action:

Mandatory Term of License

Withdrawal Action:

1st offense-Suspension via Point System³ Title 9, §§691(a)(3) & 694
Subsequent offense-Revocation Title 9, §871(b)

1st offense-1 month to 1 year via Point System³ Title 9, §§691(a)(3) & 694
2nd offense-3 months Subsequent offense-6 months Title 9, §871(b)

1st offense-Limited via Point System⁴ Title 9, §§691(a)(3) & 694
2nd offense-3 months Subsequent offense-6 months Title 9, §871(b) Note:
The revocations appear to be mandatory.

Other:

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